

FERNANDEZ & ASSOCIATES LLP
PATENT ATTORNEYS

JUL 19 2004

OFFICIAL

FACSIMILE TRANSMITTAL SHEET

| | | | |
|---------------|--|-------------------------------------|----------------|
| TO: | Brandon J. Miller | FROM: | Chris Vo |
| COMPANY: | Examiner, USPTO | DATE: | 7/19/2004 |
| FAX NUMBER: | (703) 872-9306 | TOTAL NO. OF PAGES INCLUDING COVER: | 8 Pages |
| PHONE NUMBER: | (703) 305-4222 | OUR REFERENCE NUMBER: | FERN-P008 |
| RE: | FERN-P008: Local Emergency Alert for Cell-Phone Users | OUR FAX NUMBER: | (650) 325 1203 |

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Brandon J. Miller
Attached, please find the Amendments to the Final Office Actions:
Inventor: Fernandez, et al. Attorney Docket No.: FERN-P008
Serial No.: 10/056,463 Group Art Unit: 2683
Filed: 01/23/2002 Examiner: Miller, Brandon J.
Title: "Local Emergency Alert for Cell-Phone Users"

Dear Examiner Miller:

Please find the Amendment for the above-referenced patent application, in response to the Final Office Action mailed 6/10/2004.

Dennis S. Fernandez, the inventor would like to have a teleconference regarding to the amendment, and our administrative assistant will call you tomorrow to make an appointment.

If you have any questions or concerns, please call me directly (650)325 1119.

Best regards,



Chris Vo

Legal Assistant

Encls: Office Action Response (6/10/2004), transmittal letter.

1047 EL CAMINO REAL, SUITE 201, MENLO PARK, CA 94025 ☎ (650) 325-4999 ☎ FAX (650) 325-1203 ☎ IPLOFT@IPLOFT.COM

| | |
|---|---------------------------------|
| Certificate of Mailing By "U.S. Express Mail" Under 37 C.F.R. 1.10(c) | |
| "EXPRESS MAIL" Mailing Label Number: <u>EV 426897161 US</u> | Date of Deposit: <u>7/16/04</u> |
| I hereby certify that this paper and/or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner For Patents, Washington, DC 20231. | |
| Name: <u>Chris Vo</u> | <u>7/16/04</u> |
| Signature: <u>[Signature]</u> | Date |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fernandez, et al.
 Serial No.: 10/056,463
 Filed: 3/4/2003
 For: Local Emergency Alert for Cell-Phone Users

Attorney Docket No. FERN-P008
 Examiner: Miller, Brandon J.
 Art Unit: 2683

Mail Stop Amendment
 Commissioner of Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

1. **TRANSMITTED DOCUMENTS:** the following documents relating to the above-identified patent application are being transmitted herewith.

- ☒ a. An Amendment for this application: 6 pages.
- ☐ b. Substituted Formal Drawings: sheets.
- ☐ c. A Petition For Extension of Time For Response under 37 CFR 1.136(a) incorporated herein.
- ☐ d. An Information Disclosure Statement under 37 CFR 1.97(b) ☒ 1.97(c)
- ☒ e. A stamped, self-addressed, return postcard.
- ☐ f. A Check (#) for \$ to cover required fees of this correspondence.

2. **APPLICANT FILING STATUS:**

- ☐ a. Applicant is a Large Entity.
- ☒ b. Applicant is a Small Entity.

3. **EXTENSION OF TIME:**

- ☐ a. Applicant petitions for an extension of time under 37 C.F.R. 1.136 for the total number of months checked below (fees pursuant to 37 C.F.R. 1.17(a)-(d)).

| Extension of Time | Large Entity Fee | Small Entity Fee |
|------------------------|---------------------------|-------------------------|
| i. One (1) month . | <u> </u> \$ 110.00 | <u> </u> \$ 55.00 |
| ii. Two (2) month . | <u> </u> \$ 410.00 | <u> </u> \$ 205.00 |
| iii. Three (3) month . | <u> </u> \$ 930.00 | <u> </u> \$ 465.00 |
| iv. Four (4) month . | <u> </u> \$ 1,450.00 | <u> </u> \$ 725.00 |
| v. Five (5) month . | <u> </u> \$ 1,970.00 | <u> </u> \$ 985.00 |

Extension Time Fee Total: .00

- ☒ b. Applicant believes that no extension of time is required. However, this conditional petition is being made in case Applicant has inadvertently overlooked the need for a petition for extension of time.

DOCKETED
 DATE 7/16/04 ev

4. FEE CALCULATION:

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| Fee Items | Claims Remaining After Amendment | Highest Number of Claims Previously Paid | Present Extra Claims | Fee Rate | Total |
|--|----------------------------------|--|----------------------|--|--------|
| a. Total Claims | 19 | - 20 = | 0 | x \$ 18.00 Large Entity x \$ 9.00 Small Entity | \$.00 |
| b. Independent Claims | 3 | - 3 = | 0 | x \$ 84.00 Large Entity x \$ 42.00 Small Entity | \$.00 |
| c. Multiple Dependent Claims Added By This Amendment | | | | x 280.00 Large Entity x 140.00 Small Entity | |
| d. Extension of Time Fee Total, if any, from above EXTENSION OF TIME section 3a. | | | | | \$.00 |
| e. Additional Fees Required With This Correspondence i) 1.17 (p) Fee for Information Disclosure under 1.97(c) | | | | | \$.00 |
| f. Total Fees | | | | | \$.00 |

5. PAYMENT OF FEES

The full fee due in connection with this communication is provided as follows:

☐ The Commissioner is hereby authorized to charge the fees associated with this communication or credit any overpayment to Deposit Account No: 500482. A duplicate copy of this authorization is enclosed.

☐ A Check # _____ for \$ _____ for the above specified Total Fee is enclosed. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge the necessary additional amount associated with this communication or credit any overpayment to Deposit Account No: 500482.

☒ Applicant does not believe that any payment of fee is needed in association with this communication. However, should Applicant inadvertently miscalculated the required fee, the Commissioner is hereby authorized to charge any necessary amount associated with this communication or credit any overpayment to Deposit Account No: 500482.

Please direct all correspondence concerning the above-identified application to the following address:

FERNANDEZ AND ASSOCIATES, LLP

Patent Attorneys

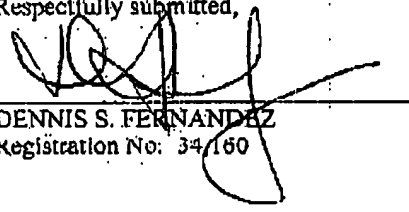
P.O. BOX D

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Phone: (650) 325-4999

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Respectfully submitted,


 DENNIS S. FERNANDEZ

Registration No: 34160

7/16/04

Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|--|----------------------|--------------------|
| Inventors: | Fernandez, <i>et al.</i> | Attorney Docket No.: | FERN-P008 |
| Serial No.: | 10/056,463 | Group Art Unit: | 2683 |
| Filed: | 01/23/02 | Examiner: | Miller, Brandon J. |
| Title: | Local Emergency Alert for Cell-Phone Users | | |

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AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to Final official action dated 06/10/04, please amend this application:

Amendments to Claims begin on page 2. **Remarks** begin on page 6.